

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3340 of 2016

Arising Out of PS.Case No. -152 Year- 2013 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. ANIL PRASAD @ ANIL SAH S/o Sahdeo Sah,
2. Manish Sah @ Manish Kumar, S/o Rajdeo Sah,
3. Gambhira Mahto @ Gambhira Mahto, S/o Ramji Mahto,
4. Pradip Sah, S/o Vijay Sah,
All are resident of village - Kalwari Majharia, P.S. - Adapur, District -
East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-01-2016

Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections
323, 341, 379, 385, 307/34 of the Indian Penal Code.

The prosecution case is that on 09.10.2013 at
about 8.00 P.M. the informant went near his house to
ease out, when petitioners surrounded him and demanded
extortion of Rs.5,000/-. On conveying the inability to
made payment, petitioner no. 1 Anil Prasad @ Anil Sah
order to kill the informant, thereafter petitioner no. 1 Anil
Prasad @ Anil Sah, petitioner no. 2 Manish Sah @ Manish

Kumar and petitioner no. 3 Gambhira Mahto @ Gamhira Mahto caught hold the informant. Petitioner no. 4 Pradip Sah made assault repeatedly, causing four injuries.

It is submitted by the learned counsel for the petitioners that at earlier point of time the informant and his associates assaulted petitioner no. 4 Pradip Sah, as they were demanding extortion from the father of the petitioner, leading to the registration of Adapur P.S. Case No. 157 of 2013.

Considering the fact that specific accusation of assault is against petitioner no. 4, Pradip Sah, this Court is not inclined to grant bail to him, let the learned court below consider the prayer for regular bail of the above named petitioner no. 4, if he surrenders before the learned court below within a period of six weeks from today in connection with Adapur P.S. Case No. 152 of 2013, pending in the court of learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari.

So far as petitioner nos. 1, 2 and 3 are concerned, let the above named petitioner nos. 1, 2 and 3 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari in connection with Adapur P.S. Case

No. 152 of 2013, subject to conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)